GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Social Welfare Department –Land Acquisition for House Sites–Kurnool District – Prathakota Village, Pagidyala Mandal - Land Acquired for provision of house sites to the weaker section people – Sanction of Rs.30,99,485/- towards decretal charges in O.P No. 254/1993 and batch (5 cases)– Orders- Issued.

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SOCIAL WELFARE (BUDGET&LA) DEPARTMENT

G.O.RT.No. 399 Dated: 21.09.2015

Read the following

1. GO Rt.No.75, S.W (Budget&LA) Department dated 03.03.2015
2. From the Dist Collector, Kurnol Lr.No.K.96/SW.LA/2006, dt. 06.06.2015.
3. From the DSW, A.P., Lr.No.G2/574/2014, dated 18.06.2015.
4. From the CCLA, AP, Hyderabad Lr. No. LA-I-2/610/2015, Dated. 06/07/2015.

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O R D E R:

In the reference 4th read above, the Chief Commissioner of Land Administration, A.P., has informed that the LAO/MRO, Pagidyala Mandal has acquired the land to an extent of Ac. 7.92 Cts in Sy. No. 146 etc., of Prathakota Village for providing house sites to the weaker sections duly fixing the market value @ Rs. 12,000/- per acre in Award Proceedings No.2/87-88, dated 17.03.1988. The awardees have received the amount under protest and requested the LAO to refer the matter to the Civil Court U/s. 18 of the LA Act,1894. On a reference, the Addl. Sub- Ordinate Judge, Kurnool has enhanced the market value from Rs. 12,000/- to Rs. 18,000/- per acre in Common Order in O.P.No. 254/93 to 258/93 (i.e. 5 cases), dt. 11/09/1995. Not satisfied with the enhancement of the Lower Court, Appeals have been filed by the awardees in the Hon'ble High Court of AP,. Accordingly, the Hon'ble High Court of A.P., has enhanced the market value from Rs. 18,000/- per acre to Rs. 3,00,000/- per acre in common judgement in AS. No. 683, 684, 2091, 2093/96 and 1910/2005, dated 24/04/2006. As per the opinion of the Government Pleader for Appeals, Hon'ble High Court of AP, the then MRO/LAO, Pagidyala Mandal has filed Appeals in the Hon'ble Supreme Court of India, New Delhi and the Hon'ble Court has dismissed the appeals in CA. No. 5512-5516/2007, dt. 01/11/2013, directed the applicant i.e MRO/LAO, Pagidyala Mandal and the Govt of A.P., to pay the balance amount of compensation with all statutory benefits with in a period of 4 months from the date of the decree of the Court and if they fail to comply with the directions contained in the order, they shall have to pay additional interest at the rate of 9% per annum from the date of Judgement of Hon'ble High Court of AP, Hyderabad. The Government have accorded sanction for release of an amount of Rs.1,64,39,489/- vide reference 1st read above, towards payment of balance decretal charges in O.P Nos. 254/93 to 258/93 for the lands acquired to an extent of Ac. 7.92 Cts in Sy. No. 146 etc., in Prathakota Village of Pagidyala Mandal of Kurnool District for providing house sites to the weaker sections people.

2. The Chief Commissioner of Land Administration, A.P., has further informed that the Director of Social Welfare, AP/District Collector, Kurnool has submitted proposals for sanction and release of Rs. Rs. **30,93,689/- (**Rupees Thirty lakhs Ninety Three thousand Six hundred and Eighty Nine only) towards payment of 9% Addlitional Interest and balance 15% interest in respect of O.P.Nos.254/93 to 258/93 (i.e,**5**cases) for the lands acquired to an extent of Ac. 7.92 Cts in Sy. No. 146 etc., in Prathakota Village of Pagidyala Mandal of Kurnool District for providing house sites to the weaker sections people.

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3. After verification and scrutiny of the proposals submitted by the Director of Social Welfare, A.P,/District Collector, Kunrool, the Chief Commissioner of Land Administration, A.P., has sent comparative calculation sheet for an amount of Rs. **30,99,485** (Rupees Thirty lakhs Ninety Nine thousand Four hundred and Eighty Five only) towards payment of 9% Additional Interest and balance 15% interest in respect of OP.No.254/1993 & batch (5cases), for the lands acquired to an extent of Ac. 7.92 Cts in Sy. No. 146 etc., situated at Prathakota(V), Pagidyala (M) of Kurnool District for provision of house sites to weaker sections people.

4. Government, after careful examination of the above proposal, hereby accord permission to the Director of Social Welfare, A.P., Hyderabad for release an amount of Rs. **30,99,485** (Rupees Thirty lakhs Ninety Nine thousand Four hundred and Eighty Five only) to the District Collector, Kurnool, towards payment of 9% Additional Interest and balance 15% interest in respect of OP.No.254/1993 & batch (5cases) for the lands acquired to an extent of Ac. 7.92 Cts in Sy. No. 146 etc., situated at Prathakota(V), Pagidyala(M) of Kurnool for provision of house sites to weaker sections..

5. The expenditure sanctioned in para (4) above shall be met within the B.E.2015-16 and debited to the following Head of Account**:**

"2225-Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes – 01 – Welfare of Scheduled Castes – M.H.283- Housing – G.H.11-Normal State Plan – SH(08) Acquisition of House Sites to weaker sections in Indiramma Programme – 310/312 – Other Grant – in – Aid".

6. The Director of Social Welfare, A.P., Hyderabad is directed to issue necessary Proceedings to the District Collector, Kurnool, to comply with the Court orders in O.P No.254/1993 and batch (5 cases).

7. The District Collector, Kurnool shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of the Proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

8. This order does not require the concurrence of Finance (Expr.SW) Department, as per their instructions vide U.O Note No.12869/196/A1/Expr.SW/2009 dated 22.05.2009 and U.O No. 15926/256/A1/1/Expr.SW/09, dated 17.08.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. VIJAY KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Chief Commissioner of Land Administration,
A.P., Hyderabad
The Director of Social Welfare, A.P., Hyderabad,
The District Collector, Kurnool
Copy to:
The Director of Treasury & Accounts, A.P., Hyderabad,
The Accountant General, A.P., Hyderabad,
The Deputy Director of Treasury & Accounts, Kurnool.
Finance (EBS-III) Department
SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER